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Notice of Allowability

Application No.

09/705,971

Examiner

David J. Parsley

Applicant(s)

VAN DEN NIEUWELAAR ET AL.

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment dated 6-30-05.
2. ☒ The allowed claim(s) is/are 1-60.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: the combination of the limitations of "...a transfer conveyor which extends between the first station and the second station and which comprises at least one substantially stationary slot with a width, a course, a supply end and a discharge end, which at least one slot comprises a first opening at the supply end of the at least one slot and a second opening at the discharge end of the at least one slot, wherein the at least one slot is designed to carry and support slaughtered animals or parts thereof..." and "...wherein the supply means are adapted to control which slaughtered animals or parts thereof form the group of slaughtered animals or parts on the first conveyor are supplied to the transfer conveyor, and which slaughtered animals or parts thereof from the group of slaughtered animals or parts on the first conveyor are not supplied to the transfer conveyor..." in claim 1 and the combination of limitations of "...at least one substantially stationary slot which extends between the first station and the second station and comprises a width, a course, a supply end, a discharge end, a first opening at the supply end of the at least one slot and a second opening at the discharge end of the at least one slot, wherein the at least one slot is designed to carry and support the slaughtered animals or parts thereof..." and "...discharge means for discharging the slaughtered animals or parts thereof from the at least one slot, wherein the discharge means are controlled by discharge control means to discharge the slaughtered animals or parts thereof from the at least one slot at a controllable rate which is independent from the rate with which the slaughtered animals or parts thereof are moved along the at least one slot..." in claim 31 and the combination of limitations of "...at least one substantially stationary slot which

Art Unit: 3643

extends between the first station and the second station and comprises a width, a course, a supply end, a discharge end, a first opening at the supply end of the at least one slot and a second opening at the discharge end of the at least one slot, wherein the at least one slot is designed to carry and support the slaughtered animal..." and "discharge means for discharging the slaughtered animals from the at least one slot, wherein the discharge means are located between the first station and the second station, and wherein the discharge means are controllable, allowing the discharge means to controllably adopt a first position wherein the slaughtered animal is conveyed along the at least one slot toward the second station, and allowing the discharge means to controllably adopt a second position wherein the slaughtered animal is removed from the at least one slot..." in claim 59 and the combination of limitations of "...at least one substantially stationary slot which extends between the first station and the second station and comprises a width, a course, a supply end, a discharge end, a first opening at the supply end of the at least one slot and a second opening at the discharge end of the at least one slot, wherein the at least one slot is designed to carry and support the slaughtered animal part..." and "discharge means for discharging the slaughtered animal parts from the at least one slot, wherein the discharge means are located between the first station and the second station, and wherein the discharge means are controllable, allowing the discharge means to controllably adopt a first position wherein the slaughtered animal part is conveyed along the at least one slot toward the second station, and allowing the discharge means to controllably adopt a second position wherein the slaughtered animal part is removed from the at least one slot..." in claim 59

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 3643

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890.

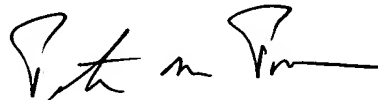
The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Parsley
Patent Examiner
Art Unit 3643



PETER M. POON
SUPERVISORY PATENT EXAMINER

7/2/05